

Exhibit 3

to Eduard Slinin's Opposition to
Alex Shnaider's Motions in Limine

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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EDWARD SLININ,

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Plaintiff,

6

-against-

Civil Action No.

7

1:15-cv-09674 (RJS)

8

ALEX SHNAIDER,

9

Defendant.

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September 15, 2017
9:08 a.m.

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Deposition of ALEX SHNAIDER, taken by

15

Plaintiff, pursuant to Notice, at the

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offices of Boies, Shiller & Flexner, LLP,

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575 Lexington Avenue, New York, New York,

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before Jowell Falsetta, a certified

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Shorthand Reporter and Notary Public

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within and for the State of New York.

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<p style="text-align: right;">Page 2</p> <p>1</p> <p>2 A P P E A R A N C E S:</p> <p>3</p> <p>4</p> <p>5 DEALY SILBERSTEIN & BRAVERMAN, LLP</p> <p>6 Attorneys for Plaintiff</p> <p>7 225 Broadway, Suite 1405</p> <p>8 New York, New York 10007</p> <p>9 BY: LAWRENCE J. LEBOWITZ, ESQ.</p> <p>10 -and-</p> <p>11 ABRAMS, FENSTERMAN, FENSTERMAN, BISMAN</p> <p>12 FORMATO, FERRARA WOLF & CARONE, LLP.</p> <p>13 Attorneys for Plaintiff</p> <p>14 One Metro Tech Center, Suite 1701</p> <p>15 Brooklyn, New York 11201</p> <p>16 BY: ETHAN GERBER, ESQ.</p> <p>17 OLGA ALEINIK ESQ.</p> <p>18</p> <p>19 BOIES, SHILLER & FLEXNER, LLP,</p> <p>20 Attorneys for Defendant</p> <p>21 575 Lexington Avenue, 7th Floor</p> <p>22 New York, New York 10022</p> <p>23 BY: KAREN DYER, ESQ.</p> <p>24 (KDYER@BSFLLP.COM)</p> <p>25</p> <p>26 ALSO PRESENT:</p> <p>27 Edward Slinin</p>	<p style="text-align: right;">Page 4</p> <p>1 ALEX SHNAIDER</p> <p>2 A L E X S H N A I D E R,</p> <p>3 14600 Westin Road, King City, Ontario</p> <p>4 17B1K4, being first duly sworn by Jowell</p> <p>5 Falsetta, a Notary Public of the State of</p> <p>6 New York, was examined and testified as</p> <p>7 follows:</p> <p>8 EXAMINATION BY MR. LEBOWITZ:</p> <p>9 Q. Good morning, Mr. Shnaider.</p> <p>10 A. Good morning.</p> <p>11 Q. My name is Larry Lebowitz.</p> <p>12 I know we were introduced in the hall</p> <p>13 by Ms. Dyer. I am the attorney for</p> <p>14 Mr. Slinin.</p> <p>15 To my right is Ethan Gerber, who</p> <p>16 is co-counsel in this case. To his</p> <p>17 left is Mr. Slinin and to Mr. Slinin's</p> <p>18 left is Olga Aleinik, who is also</p> <p>19 associated with Mr. Gerber's firm.</p> <p>20 Ms. Dyer to your right is your</p> <p>21 attorney; right?</p> <p>22 A. Correct.</p> <p>23 Q. I am here today to ask you</p> <p>24 certain questions regarding the case</p> <p>25 that Mr. Slinin has brought against</p>
<p style="text-align: right;">Page 3</p> <p>1</p> <p>2 S T I P U L A T I O N S:</p> <p>3 IT IS HEREBY STIPULATED AND AGREED by</p> <p>4 and between the attorneys for the</p> <p>5 respective parties hereto, that this</p> <p>6 examination may be sworn to before any</p> <p>7 Notary Public.</p> <p>8 IT IS FURTHER STIPULATED AND AGREED that</p> <p>9 the filing and certification of the said</p> <p>10 examination shall be waived.</p> <p>11 IT IS FURTHER STIPULATED AND AGREED that</p> <p>12 all objections to questions, except as to</p> <p>13 the form of the question, shall be</p> <p>14 reserved for the time of trial.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 ALEX SHNAIDER</p> <p>2 you. And during the course of the</p> <p>3 deposition as we go forward, if I ask</p> <p>4 you a question, which you do not</p> <p>5 understand, please let me know and I'll</p> <p>6 repeat the question.</p> <p>7 A couple of other rules, if you</p> <p>8 want to take a break at any time, let</p> <p>9 me know. I will be happy to</p> <p>10 accommodate you. However if there is</p> <p>11 an open question, I will ask that you</p> <p>12 answer it before we take a break.</p> <p>13 Same thing with respect to</p> <p>14 speaking with your attorney, if you</p> <p>15 wish to take a break to consult with</p> <p>16 her, no problem, let me know.</p> <p>17 Again the only caveat, if there</p> <p>18 is an open question, I ask you to</p> <p>19 complete the answer before we take a</p> <p>20 break. Have you understood everything</p> <p>21 I have said?</p> <p>22 A. Yes.</p> <p>23 Q. Do you speak and understand</p> <p>24 English fluently?</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 122</p> <p>1 ALEX SHNAIDER</p> <p>2 Do you know if Mr. Slinin gave a</p> <p>3 statement to the Russian authorities?</p> <p>4 A. I believe he did but I don't</p> <p>5 recall the time or when it was done.</p> <p>6 Q. Okay.</p> <p>7 Did there come a time when you</p> <p>8 were asked to give a statement to the</p> <p>9 Russian authorities?</p> <p>10 A. Yes.</p> <p>11 Q. Did you voluntarily go to</p> <p>12 Russia to make such a statement?</p> <p>13 A. Yes, I was asked by</p> <p>14 Mr. Slinin and the lawyers at the time</p> <p>15 to go to Russia because it was already</p> <p>16 basically the end of the investigation.</p> <p>17 Apparently everything was already lined</p> <p>18 up that the investigation will end</p> <p>19 because we provided all of the</p> <p>20 contracts from Bombardier,</p> <p>21 confirmations from Bombardier, that the</p> <p>22 deposits were paid. The deposits were</p> <p>23 non refundable, that the contracts and</p> <p>24 the planes were available. Everything</p> <p>25 was as per the contract. So there is</p>	<p style="text-align: right;">Page 124</p> <p>1 ALEX SHNAIDER</p> <p>2 had to come to Russia to give a</p> <p>3 statement and the statement was already</p> <p>4 prearranged basically.</p> <p>5 Q. But so while you were in</p> <p>6 Russia -- did you in fact go to Russia</p> <p>7 to make that statement?</p> <p>8 A. Yes, I went for like a few</p> <p>9 days.</p> <p>10 Q. Did you give a statement to</p> <p>11 the Russian authorities under oath?</p> <p>12 A. I gave the statement</p> <p>13 whatever they asked me to do in order</p> <p>14 to close the case and I did it.</p> <p>15 MR. LEBOWITZ: Karen, I</p> <p>16 produced this to you and I</p> <p>17 thought I had other copies but I</p> <p>18 don't.</p> <p>19 MS. DYER: I have multiple</p> <p>20 copies.</p> <p>21 MR. LEBOWITZ: Do you have</p> <p>22 other copies because I'll mark</p> <p>23 this?</p> <p>24 MS. DYER: 000439 through</p> <p>25 443?</p>
<p style="text-align: right;">Page 123</p> <p>1 ALEX SHNAIDER</p> <p>2 no reason to have these investigations.</p> <p>3 When we provided everything, I</p> <p>4 was told that it is, the case will not</p> <p>5 close unless I come to Moscow and give</p> <p>6 a statement that was already basically</p> <p>7 prearranged by the lawyers and</p> <p>8 investigators and thereby the case will</p> <p>9 be closed.</p> <p>10 Q. Okay.</p> <p>11 When you say "prearranged", you</p> <p>12 mean that -- well what exactly do you</p> <p>13 mean when you say was prearranged, that</p> <p>14 the meeting was scheduled for you to go</p> <p>15 there?</p> <p>16 A. Yes, that it was scheduled</p> <p>17 for me to come in and that it was all</p> <p>18 arranged that it will be closed. That</p> <p>19 investigators basically subject to my</p> <p>20 arrival and possibly Mr. Slinin's</p> <p>21 arrival and I don't recall whether</p> <p>22 Robert Lee arrived or George Rependa</p> <p>23 also had to come.</p> <p>24 All of the people that were</p> <p>25 involved were as far as I could recall,</p>	<p style="text-align: right;">Page 125</p> <p>1 ALEX SHNAIDER</p> <p>2 MR. LEBOWITZ: Right.</p> <p>3 MS. DYER: I have a clean</p> <p>4 copy that you can mark.</p> <p>5 MR. LEBOWITZ: Shnaider 1,</p> <p>6 please.</p> <p>7 (Statement marked for</p> <p>8 identification, Shnaider Exhibit</p> <p>9 1.)</p> <p>10 Q. Mr. Shnaider, I am going to</p> <p>11 ask you to take a look at the document</p> <p>12 that has been marked as Shnaider</p> <p>13 Exhibit 1. I'm going to ask you to</p> <p>14 read it carefully and then I'm going to</p> <p>15 ask you questions about it. So please</p> <p>16 take your time and please read it.</p> <p>17 A. Do you have a signed</p> <p>18 document?</p> <p>19 Q. This is what I have.</p> <p>20 A. But this is not a signed</p> <p>21 document.</p> <p>22 Q. If I had a document that was</p> <p>23 signed, I would give it to you but this</p> <p>24 is the exhibit that I have.</p> <p>25 A. Okay so, my name is spelled</p>

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1 ALEX SHNAIDER
2 wrong, my address is wrong.
3 MS. DYER: Go ahead and
4 read it. Take whatever time you
5 need to review it and then
6 Mr. Lebowitz will ask you
7 whatever questions he wants. And
8 you could note those things but
9 wait for -- I don't think there
10 is a pending question.
11 Q. I would like you to read it
12 and then we will go through it.
13 A. Can I ask something?
14 Q. Ask Ms. Dyer. You cannot
15 ask me.
16 MS. DYER: Let's wait for
17 the question. That is okay, just
18 read it and wait for the
19 question.
20 MR. LEBOWITZ: Let's take
21 a break while he reads that.
22 (A recess was taken.)
23 Q. Mr. Shnaider, have you had
24 the opportunity to review the document
25 that was marked as Exhibit 1?

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1 ALEX SHNAIDER
2 A. Yes.
3 Q. Do you recognize what that
4 is?
5 A. I don't recognize this
6 document, no.
7 Q. Did you make a statement to
8 the Russian authorities in respect to
9 the criminal investigation that you
10 testified about earlier this morning?
11 A. I recall that I did.
12 Q. And do you recall whether
13 you made that statement in Moscow?
14 A. Yes, I did.
15 Q. And do you recall whether
16 you made it in May of 2009?
17 A. No, I don't.
18 Q. Do you recall when you did
19 make that statement?
20 A. No, I don't recall whether I
21 made that statement.
22 Q. Were you represented by an
23 attorney in Moscow during the course of
24 the statements that you made?
25 MS. DYER: Objection to

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1 ALEX SHNAIDER
2 the form.
3 A. Yes, I was.
4 Q. What was that attorney's
5 name?
6 A. Igor Kopende.
7 Q. Is that an attorney that you
8 retained?
9 A. Yes. I retained that
10 attorney. He represented both of
11 myself and Mr. Slinin as far as I
12 remember.
13 Q. So let's go through what I
14 have marked here and see if we could do
15 this with some dispatch.
16 On the first page, in the
17 statement that you gave, were you
18 questioned by a member of the Moscow
19 police?
20 A. I don't remember who was
21 questioning me.
22 Q. But you were questioned by
23 some Russian individual?
24 A. I was questioned by, yes,
25 some Russian individual and that is

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1 ALEX SHNAIDER
2 correct.
3 Q. Who did you understand that
4 person to be?
5 A. An investigator. I don't
6 know if he was working for the Russian
7 police or --
8 Q. Let's start with the first
9 page, is your date of birth correct on
10 that first page?
11 MS. DYER: Objection to
12 the form.
13 Q. Do you see where it says
14 date of birth under item two?
15 A. My date of birth, the year
16 of birth, there is no date, the year of
17 birth is correct.
18 Q. Okay.
19 A. And my name is spelled
20 wrong. My kids' names are spelled
21 wrong.
22 Q. We will go through each
23 item.
24 With respect to item three,
25 place of birth, were you born in

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1 ALEX SHNAIDER
 2 Lindgren?
 3 A. Yes.
 4 Q. Now called St. Petersburg;
 5 correct?
 6 A. Correct.
 7 Q. And in May of 2009 did you
 8 live at 81 Old Colony Road in Toronto?
 9 A. I lived on 91 Old Colony
 10 Road.
 11 Q. And in 2009 were you
 12 married?
 13 A. Yes, I was.
 14 Q. And did you have three
 15 children?
 16 A. Yes, I did.
 17 Q. Can you tell me were their
 18 names Jennifer, Erica and Rebecca?
 19 A. Jennifer, Erica and Rebecca
 20 which was born in 2004, not in 2005.
 21 Q. With respect to line 11, is
 22 the information regarding your Canadian
 23 passport correct?
 24 A. I am not sure. I don't have
 25 this passport.

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1 ALEX SHNAIDER
 2 Q. Did you have a Canadian
 3 passport in 2009?
 4 A. Yes.
 5 Q. Did you present it to the
 6 authorities for them to view?
 7 A. I don't recall.
 8 Q. Do you see in the second,
 9 the lower half, the first page it
 10 indicates or makes a statement that you
 11 were given certain rights with respect
 12 to your, the questions that you were
 13 going to be asked.
 14 Do you see that?
 15 MS. DYER: Objection to
 16 the form.
 17 A. Yes, I see what is written.
 18 Q. Were you in fact advised
 19 that you had certain rights with
 20 respect to this statement you were
 21 going to give?
 22 A. Yes, I was advised that I
 23 have certain rights.
 24 Q. Was your --
 25 MS. DYER: Wait, were you

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1 ALEX SHNAIDER
 2 finished?
 3 Q. Are you finished?
 4 A. Yes, I was advised I have
 5 certain rights. I don't know if these
 6 are the ones.
 7 Q. And was your attorney
 8 Mr. Kopende present the entire time you
 9 were questioned by the Moscow
 10 authorities?
 11 A. I would assume so but I
 12 don't recall exactly. I don't recall
 13 this particular interrogation or how
 14 exactly it took place, who was in the
 15 room.
 16 Q. Have you ever been subject
 17 to a criminal investigation other than
 18 this one?
 19 MS. DYER: Objection to
 20 the form.
 21 A. No.
 22 Q. I would imagine that it was
 23 somewhat of a significant event.
 24 MS. DYER: Objection to
 25 the form.

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1 ALEX SHNAIDER
 2 A. When it started it was a
 3 significant event but it was not a
 4 significant event already when I went
 5 to Russia because it was supposed to be
 6 finished.
 7 Q. Are you familiar with the
 8 expression something is ProForma?
 9 Do you know what that means?
 10 A. No.
 11 Q. Let's move on. Let's start
 12 on the first page or well let's, it
 13 would be the second page. So page that
 14 ends at the bottom with 440.
 15 A. Uh-huh.
 16 Q. Were you asked a question
 17 about whether or not you knew an
 18 individual named Kiral Dumov, do you
 19 see that on fourth line down or fourth
 20 paragraph down?
 21 A. Yes, I see it.
 22 Q. Is as you sit here today do
 23 you know who Mr. Dumov is?
 24 A. No, I don't.
 25 Q. Do you know somebody named

<p style="text-align: right;">Page 134</p> <p>ALEX SHNAIDER</p> <p>Vitali Kachur?</p> <p>A. I remember meeting somebody that wanted to, that Eddie Slinin sent to meet me that wanted to buy one of my watches. So I would imagine that that is him but I wouldn't even remember what he looks like or who he is and how he fits into this case.</p> <p>Q. Okay. I am going to go down paragraph by paragraph here and ask you if what is stated in the paragraph is accurate or if you have some disagreement with what is stated.</p> <p>A. Right.</p> <p>Q. So let's go to the next paragraph regarding Mr. Perumov.</p> <p>Is there anything in that paragraph that you think is inaccurate?</p> <p>MS. DYER: Where --</p> <p>MR. LEBOWITZ: That begins "I don't know George Perumov."</p> <p>MS. DYER: On P000440?</p> <p>MR. LEBOWITZ: Yes.</p> <p>A. It is correct that I don't</p>	<p style="text-align: right;">Page 136</p> <p>ALEX SHNAIDER</p> <p>MR. LEBOWITZ: That is correct.</p> <p>A. So what was the question if I -- I don't know Mr. Perumov.</p> <p>Q. I understand.</p> <p>A. So --</p> <p>Q. As you sit here today you have no recollection of having spoken with him?</p> <p>A. No, I don't have any recollection. I remember somebody called me but I don't know if this is Mr. Perumov or Mr. Perumov's friend or Mr. Perumov's employee. I don't know who called me.</p> <p>Q. Let's go to the next paragraph, which begins for several years and I'll ask you to tell me if there is anything that is inaccurate in that paragraph?</p> <p>A. Seems like it.</p> <p>Q. And the next paragraph, which is "E. Slinin reached out to me"?</p> <p>A. I don't know if this is the</p>
<p style="text-align: right;">Page 135</p> <p>ALEX SHNAIDER</p> <p>know him personally. I don't recall speaking to him on the phone.</p> <p>Q. Is there any reason as you sit here today to believe that the statement that you made in 2009 about speaking with him during the summer of 2008 would be inaccurate?</p> <p>MS. DYER: Objection to the form.</p> <p>Q. You could answer.</p> <p>MS. DYER: This is not a signed statement. Do you have a signed statement, sir?</p> <p>MR. LEBOWITZ: I don't but I am asking him if --</p> <p>MS. DYER: You are presenting to him a draft statement. Is your question whether this draft statement --</p> <p>MR. LEBOWITZ: My question is by reading this --</p> <p>MS. DYER: Is this accurate as far as he recalls, as far as the chronology?</p>	<p style="text-align: right;">Page 137</p> <p>ALEX SHNAIDER</p> <p>date, could have been one of the phone conversations that we had with Mr. Slinin.</p> <p>Q. Other than the date here spring of 2007, is it otherwise an accurate statement?</p> <p>A. Not really because he knew that I worked with Bombardier. He would not ask me if I worked with Bombardier. He knew I was working with Bombardier, so it is not.</p> <p>MS. DYER: Is there a correction, I either need to hear the question back so I could listen to it or it needs to be restated, one or the other.</p> <p>Q. Yes. Can you tell me again in that paragraph what is it that you believe is inaccurate?</p> <p>A. I communicated with Mr. Slinin quite often. So he wouldn't call me and ask me if I work, if I still work with Bombardier. If I have a connection with Bombardier, he knew I</p>

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1 ALEX SHNAIDER
2 had a connection with Bombardier. It
3 wasn't in this form that he called me.
4 I don't know if this is the date and I
5 don't know if this is how our
6 conversations started with Mr. Slinin.
7 Again this was written by, I
8 don't know who wrote it. I don't know
9 if it is translated correctly from
10 Russian and this statement was
11 prearranged.
12 Q. That is fine. That is why
13 I'm going through with you paragraph by
14 paragraph and asking you if there are
15 inaccuracies, for you to tell me what
16 is inaccurate.
17 Let's go to the next paragraph
18 later in late spring.
19 A. What is the question, if we
20 met in New York?
21 Q. I am asking you is that
22 statement accurate, right?
23 A. I don't know if the date is
24 accurate. I don't recall this. I
25 don't recall any of this. Acquiring

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1 ALEX SHNAIDER
2 more Bombardier aircraft. I don't know
3 where this more is coming from. I
4 don't know if we actually met in New
5 York and discussed this.
6 Q. Okay.
7 How about the next paragraph
8 which says, "I do remember then at that
9 time."
10 A. The 30 million mark is
11 correct. The difference between the
12 three and five million, that I don't
13 know if it is correct.
14 Q. Okay.
15 How about the income paragraph
16 where it begins "I explained to E.
17 Slinin"?
18 A. I don't think that this is
19 correct because he would not ask me to
20 find out more diligently about
21 anything. We were so far from any
22 contract at that point, that there is
23 no, there is nothing to find out
24 diligently.
25 Nothing turned around how it

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1 ALEX SHNAIDER
2 really works. There is a question if
3 there is really a buyer that has the
4 funds and at what price he wants to buy
5 it and not how the contracts really
6 work.
7 Q. How about the next paragraph
8 which is, "Later I explained to Slinin
9 the scheme for the purchase of the
10 aircraft"?
11 A. Seems correct until the last
12 sentence that "Slinin told me that
13 everything would be fine as he reached
14 a verbal agreement to accumulate
15 Perumov's money in the amount
16 sufficient to pay the first payment on
17 the contract on his account in
18 Switzerland."
19 That I don't know whose account
20 in Switzerland, which money, how much
21 money, I mean.
22 Q. What about the next
23 paragraph which is the last paragraph
24 or partial paragraph on that page, that
25 begins "some time later"?

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1 ALEX SHNAIDER
2 A. I don't know if this is the
3 date but seems correct.
4 Q. Let's turn now to the next
5 page, which is a page that ends with
6 the three digits 441. And I'll ask you
7 to start with the first full paragraph
8 on that page that begins, "As it was
9 agreed between me and Slinin."
10 And read that paragraph and tell
11 me if you agree with what is stated
12 there?
13 A. There is a number of things
14 that I cannot comment at this time.
15 For example those are all the companies
16 that were used for Perumov's contracts,
17 seem to be but I don't know because I
18 don't know the names of these
19 companies. Blue Industrial Skies, I
20 mean I remember that company but I
21 don't remember the other one.
22 Q. Okay.
23 A. I don't know if this is the
24 share holding 70, 30 between Perumov
25 and Mr. Slinin. And for sure that

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ALEX SHNAIDER

Mr. Slinin did not acquire any share of Challenger Aircraft Company or CL 850. It was 100 percent acquired by me. It could have been asked by the lawyer to put Mr. Slinin somehow involved into here in order to basically get, you know, get them out from this investigation also I'm not sure.

Q. Okay.

How about the next paragraph, regarding the purchase of the XRS?

A. Does not seem right because the paragraph before already has five offshore companies. So that should have included the XRS. So why would we have five offshore companies and five planes. So it does not seem right.

Q. Next paragraph which begins in late autumn.

A. Again all these dates, I am not sure about.

Q. What about the substance of the paragraph?

A. I don't know. I don't know.

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ALEX SHNAIDER

Seems correct but I don't know these dates. I don't know how the money flowed. It says here that Mr. Slinin accumulated the money in his company. So I'm not sure if this is correct or not. I don't know.

Q. Okay, let's go to the next paragraph which says "Robert Lee reported to me."

A. I don't know. I don't know if this is correct or not. Seems reasonable but I don't know how correct it is.

MS. DYER: Don't speculate.

Q. Would it be correct that Robert Lee reported to you?

A. Yes.

Q. Okay.

Let's go to the next paragraph, "Funds sufficient to make the first payment".

A. I don't know what was the flow of funds and the amounts.

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ALEX SHNAIDER

Q. Who would have known that?

A. Probably must have documents to show how the funds flowed. I don't have that.

Q. But was it Mr. Lee who kept track of these transactions for you?

MS. DYER: Objection to the form.

A. Mr. Lee, yes, he tracked it.

Q. What about the next paragraph it begins "As far as I know Slinin and Perumov met in January of 2008"?

A. I don't recall that at all.

Q. Then the next paragraph "As per Slinin, it started in spring of 2008"?

A. I don't know. There are too many details that I don't remember how it took place.

Q. Let me ask you this in the context of that paragraph, would it have been possible for you to assign the CAC or CL 850 between that company

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ALEX SHNAIDER

and Bombardier to Perumov or a Perumov SPV?

MS. DYER: Objection to the form.

Q. I am asking you independently of --

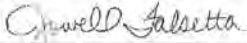
MS. DYER: Hold on, hold on.

Q. -- of the statement, it makes certain references to assigning the contract. So I'm asking you what is your understanding of whether or not you could have assigned any of the, whether they were CL 850 or CAC contracts with Bombardier directly to Perumov or one of his SPVs?

MS. DYER: Objection to the form.

A. Theoretically, the intention was to assign the contracts but I just am not sure at which period of time and when these contracts are assigned. After how much money is received before these contracts are assigned. That is

<p style="text-align: right;">Page 146</p> <p>1 ALEX SHNAIDER</p> <p>2 the -- they are supposed to be assigned</p> <p>3 once the entirety of the deposit or the</p> <p>4 entirety of profit on these contracts</p> <p>5 have been transferred. At that time</p> <p>6 probably you have no more risk but to</p> <p>7 assign the contract.</p> <p>8 Q. And so would Bombardier's</p> <p>9 permission have to have been obtained</p> <p>10 in order to assign the contract?</p> <p>11 A. Yes, I believe you would</p> <p>12 need Bombardier's permission. I am not</p> <p>13 sure how it works. I was not involved</p> <p>14 in it.</p> <p>15 Q. And so if I understood your</p> <p>16 last answer, once the premium in the</p> <p>17 purchase price had been received by you</p> <p>18 and Mr. Slinin, at that point you would</p> <p>19 assign the contract between CL 850 or</p> <p>20 CAC and Bombardier to the contracting</p> <p>21 party that was the SPV?</p> <p>22 MS. DYER: Objection to</p> <p>23 the form.</p> <p>24 A. Again, I'm not clear at what</p> <p>25 point but as soon as I would have no</p>	<p style="text-align: right;">Page 148</p> <p>1 ALEX SHNAIDER</p> <p>2 MS. DYER: And the</p> <p>3 question is?</p> <p>4 MR. LEBOWITZ: Let him</p> <p>5 look at that paragraph and tell</p> <p>6 me if there is anything stated</p> <p>7 there that he disagrees with,</p> <p>8 same question.</p> <p>9 A. I don't know what this is.</p> <p>10 Q. Okay.</p> <p>11 What about the next paragraph</p> <p>12 "At the urging of Perumov on August 18,</p> <p>13 2008, et cetera."</p> <p>14 A. Okay, again I don't know if</p> <p>15 this took place.</p> <p>16 Q. Okay.</p> <p>17 What about the next paragraph</p> <p>18 that begins "thus on August 18, 2008"?</p> <p>19 A. I don't know if this is, the</p> <p>20 dates are correct. I don't recall</p> <p>21 this. I wasn't involved in this.</p> <p>22 Q. What about the next</p> <p>23 paragraph that begins "as far as I</p> <p>24 know"?</p> <p>25 A. Same.</p>
<p style="text-align: right;">Page 147</p> <p>1 ALEX SHNAIDER</p> <p>2 more liability and I would have all of</p> <p>3 the profits paid to me, I would</p> <p>4 probably agree to assign the contract.</p> <p>5 Q. When you say all the profits</p> <p>6 paid to you, you mean your share of the</p> <p>7 profits?</p> <p>8 A. Yes, my share of the</p> <p>9 profits.</p> <p>10 MS. DYER: Objection to</p> <p>11 the form.</p> <p>12 Q. Let's go back to the</p> <p>13 agreement, please. I think we are up</p> <p>14 to the last two lines of page 441.</p> <p>15 A. Which agreement are you</p> <p>16 talking about?</p> <p>17 Q. Your statement, I am sorry.</p> <p>18 It begins "I think in August of 2008</p> <p>19 the three-party agreement," et cetera,</p> <p>20 et cetera and it carries over on to the</p> <p>21 next page.</p> <p>22 A. So it started in spring</p> <p>23 or --</p> <p>24 Q. The last two lines I think</p> <p>25 in August of 2008.</p>	<p style="text-align: right;">Page 149</p> <p>1 ALEX SHNAIDER</p> <p>2 Q. And finally the last</p> <p>3 paragraph "They're implementing these"?</p> <p>4 A. That seems correct because I</p> <p>5 know that Blue Industrial Skies at the</p> <p>6 end was Mr. Slinin's company.</p> <p>7 Q. Do you recall when you were</p> <p>8 in Russia, were you asked to actually</p> <p>9 sign a statement?</p> <p>10 A. I don't recall. I don't</p> <p>11 recall. I believe so but I don't</p> <p>12 recall.</p> <p>13 MR. LEBOWITZ: Maybe this</p> <p>14 is a good time for us to take a</p> <p>15 lunch break since it's 1:15.</p> <p>16 (A recess was taken.)</p> <p>17 Q. Good afternoon, Mr.</p> <p>18 Shnaider. Let us continue, same rules</p> <p>19 apply, okay.</p> <p>20 A. Yes.</p> <p>21 Q. Did there come a time in</p> <p>22 respect to the contracts that related</p> <p>23 to Mr. Perumov, that Mr. Shnaider told</p> <p>24 you --</p> <p>25 A. Mr. Shnaider?</p>

<p style="text-align: right;">Page 202</p> <p>1 ALEX SHNAIDER</p> <p>2 MR. LEBOWITZ: I ask that</p> <p>3 we mark this document as Shnaider</p> <p>4 2.</p> <p>5 (E-mail marked for</p> <p>6 identification, Shnaider Exhibit</p> <p>7 2.)</p> <p>8 Q. Mr. Shnaider, if you would</p> <p>9 look at the copy that has been marked.</p> <p>10 I ask that you take a look at that and</p> <p>11 I have a couple of questions for you.</p> <p>12 A. Okay, do I need to read it?</p> <p>13 MS. DYER: Only if you</p> <p>14 feel you need to.</p> <p>15 Q. I'm only going to ask you a</p> <p>16 question or two and it is not about the</p> <p>17 content. I am going to ask you if you</p> <p>18 have a recollection of getting this</p> <p>19 document which appears to be an e-mail</p> <p>20 from Rob Lee to you, with a copy to</p> <p>21 George Rependa, dated April 11, 2011.</p> <p>22 A. No, I don't remember this.</p> <p>23 Q. Do you remember this was Mr.</p> <p>24 Lee's e-mail address back in 2011, do</p> <p>25 you know?</p>	<p style="text-align: right;">Page 204</p> <p>1 ALEX SHNAIDER</p> <p>2 MR. LEBOWITZ: I have no</p> <p>3 further questions. We are done.</p> <p>4 (TIME NOTED: 3:04 p.m.)</p> <p>5</p> <p>6</p> <p>7</p> <p>8 Subscribed and sworn to before me</p> <p>9 this day of , 2017.</p> <p>10</p> <p>11 Notary Public</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 203</p> <p>1 ALEX SHNAIDER</p> <p>2 A. Yes, it is from Rob Lee and</p> <p>3 it is dated, yes.</p> <p>4 Q. And it is addressed to you</p> <p>5 at the correct e-mail address; correct?</p> <p>6 A. I don't know. It doesn't</p> <p>7 say the e-mail address.</p> <p>8 Q. Do you recognize George</p> <p>9 Rependa's name on the cc?</p> <p>10 A. Yes.</p> <p>11 Q. Do you know whether or not</p> <p>12 that is his e-mail address?</p> <p>13 A. Seems like his e-mail</p> <p>14 address, yes.</p> <p>15 Q. I'm only interested in the</p> <p>16 first small paragraph, which says, "I</p> <p>17 attach a copy below the questions for</p> <p>18 BBD and my suggested answers in italics</p> <p>19 below each one."</p> <p>20 Do you know what the initials</p> <p>21 BBD stand for there?</p> <p>22 A. Bombardier.</p> <p>23 Q. Okay.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 205</p> <p>1</p> <p>2 C E R T I F I C A T E</p> <p>3 STATE OF NEW YORK)</p> <p>4) ss.</p> <p>5 COUNTY OF NEW YORK)</p> <p>6</p> <p>7 I, JOWELL FALSETTA, a Shorthand</p> <p>8 Reporter and Notary Public within and for</p> <p>9 the State of New York, do hereby certify:</p> <p>10 That ALEX SHNAIDER, the witness</p> <p>11 whose deposition is hereinbefore set</p> <p>12 forth, was duly sworn by me and that such</p> <p>13 deposition is a true record of the</p> <p>14 testimony given by the witness.</p> <p>15 I further certify that I am not</p> <p>16 related to any of the parties to this</p> <p>17 action by blood or marriage, and that I am</p> <p>18 in no way interested in the outcome of</p> <p>19 this matter.</p> <p>20 IN WITNESS WHEREOF, I have hereunto</p> <p>21 set my hand this 28th day of September,</p> <p>22 2017.</p> <p>23 </p> <p>24 JOWELL FALSETTA</p> <p>25</p>

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2 STATE OF NEW YORK)
3) ss:
4 I wish to make the following changes,
5 For the following reasons:
6 PAGE LINE
7 CHANGE FROM: _____
8 CHANGE TO: _____
9 REASON: _____
10
11 CHANGE FROM: _____
12 CHANGE TO: _____
13 REASON: _____
14
15 CHANGE FROM: _____
16 CHANGE TO: _____
17 REASON: _____
18
19 CHANGE FROM: _____
20 CHANGE TO: _____
21 REASON: _____
22
23 Subscribed and sworn to before me
24 this _____ day of _____, 2017.
25